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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 1, 2000

APPLICATION OF

WASHINGTON GAS LIGHT COMPANY

CASE NO. PUE000407

For approval of special
rates pursuant to
Va. Code § 56-235.2

ORDER ON MOTION FOR CERTIFICATION

On October 31, 2000, Roanoke Gas Company ("Roanoke Gas") filed in the above-styled matter a "Motion for Immediate Certification of Hearing Examiner's Ruling to the State Corporation Commission." Roanoke Gas requests the Commission to reverse the October 31, 2000, ruling of Hearing Examiner Alexander F. Skirpan Jr., that granted only in part Roanoke Gas's October 30, 2000, "Motion to Late File Notice of Protest and Protest." By a ruling earlier today, the Hearing Examiner certified this matter to the Commission pursuant to Rule 7:1 of the Commission's Rules of Practice and Procedure.

This matter concerns the application of Washington Gas Light Company ("WGL"), filed July 28, 2000, for approval pursuant to § 56-235.2 of a special "Area Development Rate" ("ADR") applicable to a portion of WGL's service territory in Loudoun County. Our Order for Notice and Hearing of August 24, 2000, established the procedural schedule for this case and

assigned the matter to a Hearing Examiner. This procedural order provided for, among other things, Notices of Protest to be filed by September 22, 2000, for Protests and Protestants' testimony to be filed by October 6, 2000; Staff testimony to be filed by October 23, 2000; WGL's rebuttal testimony to be filed by October 31, 2000; and a public hearing to be held on November 8, 2000. No Protestants filed within the time prescribed by the Commission's order.

On October 16, 2000, Northern Virginia Electric Cooperative ("NOVEC") filed a motion for leave to file a late Notice of Protest, Protest, and Protestant's testimony. On October 18, 2000, WGL filed a response objecting to NOVEC's motion. Also on October 18, 2000, WGL filed a "Motion to Amend the Procedural Schedule," requesting that the date for filing Staff testimony be extended to October 25, 2000, and that WGL's rebuttal testimony be extended to November 1, 2000. WGL stated that its motion was to accommodate its request for continued discussions with the Staff on the Company's ADR proposal in advance of the Staff filing its testimony. The Staff did not oppose either motion.

On October 19, 2000, the Hearing Examiner granted NOVEC's and WGL's motions, and amended the procedural schedule. The Examiner's ruling provided for the testimonies of NOVEC, the

Staff, and WGL to be filed by October 25, October 27, and November 2, respectively.

As noted, on October 30, 2000, Roanoke Gas filed a motion for leave to file late a Notice of Protest and Protest. It also sought to file testimony on November 1, 2000, to rebut the Staff's October 27 testimony. Roanoke Gas stated in its motion that the availability of an ADR surcharge, such as that being proposed by WGL in this proceeding, could be used to stimulate expansion of natural gas service into rural areas of Southwestern Virginia. Roanoke Gas stated that it learned of the Staff's "formal opposition" to WGL's ADR proposal only in the afternoon of Friday, October, 27, 2000.

The Staff filed a response on October 30 opposing the company's motion, stating that the company's late filing "would likely be prejudicial to the Staff."

The Hearing Examiner's October 31, 2000, ruling on Roanoke Gas's motion granted the motion in part by accepting Roanoke Gas's Notice of Protest and Protest for late filing, and permitting the company's counsel to participate in the hearing through cross-examination and filing a post-hearing brief. It denied, however, the company's request to file rebuttal testimony.

Roanoke Gas's motion for certification on the Examiner's ruling urges the Commission to reverse the ruling and allow the

company to file testimony of its Chairman and CEO, John B. Williamson III. The company states it "had no need to become a Protestant in this proceeding until it reviewed the Staff testimony and saw the broad policy issues raised - and answered - by the Staff." Roanoke Gas states its participation in this case "will be limited to supporting the concept of ADR generally." The motion states that Mr. Williamson's testimony is relatively brief (12 pages as now drafted) and explains why an ADR option should be embraced by the Commission as a method by which gas service can be expanded throughout the Commonwealth. Roanoke Gas contends that any findings arising out of this case adverse to WGL's ADR proposal will "effectively foreclose the filing of an ADR by Roanoke Gas."

NOW THE COMMISSION, upon consideration of the Hearing Examiner's November 1, 2000, Certification of Ruling to the Commission and the pleadings and rulings discussed herein, is of the opinion and finds that Roanoke Gas's motion should be granted.

Our granting of Roanoke Gas's motion should not be viewed by the company, or any other party desiring to appear before the Commission, as willingness by us to accept late filings. We are allowing the testimony to be filed based on the issues raised by this case and the representations by Roanoke Gas of its testimony. If the Staff or any party finds that it needs more

time, or other relief, as a result of Roanoke Gas being granted leave by the Hearing Examiner to make late filings of its Notice of Protest and Protest, and being granted leave by us to file its testimony, it may make an appropriate motion for the Examiner's consideration.

Accordingly, IT IS ORDERED THAT:

(1) Roanoke Gas may file the testimony of Mr. John B. Williamson III, in the manner prescribed in our August 24, 2000, Order for Notice and Hearing, by the close of business today, November 1, 2000, and simultaneous with such filing shall serve copies of same on the Staff and parties by facsimile or other electronic means.

(2) This matter is continued.